

1 REMARKS

2 Status of the Claims

3 Claims 1-4, 6-8, and 11-30 are pending in the present application. Two minor
4 typographical errors have been amended in Claims 18 and 29 in the above amendment. The
5 Examiner has allowed Claims 1-4, 6-8, and 11-30 over the closest prior art of record, Bredenberg
6 U.S. Patent No. 5,826,253.

7 Allowable Subject Matter

8 Claims 1-4, 6-8, and 11-30 are allowed over the prior art of record. The prior art of record
9 fails to teach or suggest individually or in combination determining whether the request for the
10 second batch of records was for the next batch of data, or for a previous batch of data from the
11 database table, wherein the request for the second batch of records specifies a value for the at
12 least one field that has a specific relationship relative to one of the minimum and the maximum
13 value for the at least one field in the first batch of records, to indicate whether the request is for
14 the next batch of data or for the previous batch of data, and in response to a determination that
15 the request for the second batch of records was for the previous batch of data based on the value
16 specified in the request for the second batch of records being less than the minimum value for
17 said at least one field in the first batch of records, as set forth in independent claims 1, 8, 15, 18,
18 23, and 28.

19 Claims Rejected Under Nonstatutory Double Patenting

20 Claims 1-4, 6-8, and 11-30 are rejected under the judicially created doctrine of double
21 patenting as being unpatentable over Claims 1-15 of the parent U.S. Patent No. 6,728,721. The
22 Office Action indicates that if the claims of the current patent application were allowed, they
23 would improperly extend the "right to exclude" already granted in the patent. The Examiner
24 notes that the subject matter claimed in the instant application is fully disclosed in the patent and
25 is covered by the patent, since the patent and the application are claiming common subject
26 matter, specifically, a method for delivering batches of data to a client, while maintaining a user's
27 state within a database table. Thus, applicant submits concurrently herewith a Terminal
28 Disclaimer to address the Nonstatutory Double Patenting rejection.

29 In consideration of the preceding remarks, applicant submits that the application is in
30 condition for allowance and requests that the Examiner pass the case to issue at an early date.

1 Should any further questions remain, the Examiner is invited to telephone applicant's attorney at
2 the number listed below.
3

4 Respectfully submitted,

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9 RMA/SKM:cai

10 I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed
11 envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents,
12 Alexandria, VA 22313-1450, on September 13, 2005.

13 Date: September 13, 2005



14 Enclosures:
15 Terminal Disclaimer
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